



PLANNING COMMISSION SYNOPSIS

Thursday, August 25, 2016

CALL TO ORDER

Chairperson Spiess called the Planning Commission meeting to order at 6:00 PM in the City Council Chambers of the Bloomington Civic Plaza.

COMMISSIONERS PRESENT: Spiess, Bennett, Snyder, Solberg, Swanson

COMMISSIONERS ABSENT: Batterson, Goodrum

STAFF PRESENT: Pease, Schmidt, O'Day

Chairperson Spiess led the attendees in the reciting of *The Pledge of Allegiance*.

ITEM 1

6:01 p.m.

CASE: PL2016-128

APPLICANT: Patrick Bigelow

LOCATION: 9915 Portland Avenue S

REQUEST: Variances to Increase the opacity from 50 percent to 100 percent, increase fence height from 4 feet to 7 feet 4 inches and increase the posts from 12 inches above the fence to 13 inches

SPEAKING FOR THE APPLICANT:

Pat Bigelow, 9915 Portland Avenue

SPEAKING FROM THE PUBLIC:

Carl Recksiedler, 9920 Portland Avenue

Richard Palbicki, 9923 Portland Avenue

PUBLIC HEARING DISCUSSION:

Pease presented the location of the site and explained the applicant researched and believed the fence was Code compliant and has neighborhood support. After two fence variances were granted in 2015, the City Council directed staff to provide procedures to reduce misunderstanding when residents inquire about fence information. There is a fence handout in several locations, including at the counter and online. If you search the work "fence" on the City website, the handout was made the first link in the search results. Staff sends the fence handout and related information to residents as part of the Gopher One Call request.

The applicant desires variances for a fence with an increased opacity from 50 to 100 percent, increased height from 4 feet to 7 feet 4 inches and increase the post from 12 inches to 13 inches above fence. The approximate fence location is 20 feet from the property line and over 40 feet from the curb along Portland Avenue. The purpose of the fence was to screen possessions. A

site plan displaying locations for a Code compliant fence and a graphic comparing 6 foot fence and the proposed fence was discussed. The applicant believes traffic is a primary issue to support increased height and screening. Traffic on a typical residential street is 300-600 cars per day. A map showing select higher traffic residential streets in Bloomington was displayed. While the traffic is higher than a typical street, it is much lower than many other residential streets in the City.

Staff discussed and was unable to make five of the six required variance findings. Staff believes that the applicant does not have a practical difficulty, and the proposed 7 foot 4 inch fence is not a reasonable request.

Bigelow stated he is requesting variances and has neighborhood support. The process started when he desired to build a shed. He wanted to make improvements that were the least intrusive to the neighbors. After a discussion with the neighbors, he moved the shed to a location where most people may store their recreational vehicles. He had discussed the fence with the neighbors and the outcome was the one he installed. He thought the fence was legal. The posts were installed above the fence for the purpose of constructing a post planter. The lighting makes the posts exceed the allowed 12 inches, His intention was to install a fence that looked nice to the neighborhood.

Solberg asked about the reasoning for the 7 foot 4 inch fence.

Bigelow said the reasoning was for privacy of the boat and camper. A 6 foot fence would provide the same privacy but the lattice makes the fence look nicer. He wanted to fully screen the recreational vehicles from the street and the one foot lattice makes it look nicer.

Carl Recksiedler he lives across the street and likes the fence. He pointed out neighbors on the north and the south have a privacy fences along the street.

Richard Palbicki stated he is the property owner to the south of the applicant and has the most impacting view of the property. He noted the applicant is a great neighbor who has not offended anyone with the fence. He stated Patrick maintains the property very well maintained and it is a very good looking fence. He encouraged permission to allow the fence. The fence does not obstruct sight lines.

The public hearing was closed via a motion.

Solberg asked staff to clarify a Code complying location for a 6 foot fence.

Pease noted City Council adopted the fence ordinance in 2008. There was significant discussion regarding the land area between a structure and street. In that area it was determined a 4 foot tall and 50% opaque would be acceptable. He also explained a fence is taller than 6 feet, the fence must apply principal structure setbacks. There are many fences that are legally non-conforming.

Swanson noted a 4 foot tall and 50% opaque fence would not screen the boat and camper. Although, he does not want to set a precedent for a 7 foot 4 inch tall fence. The fence is able to

be modified and would require work from the homeowner which is unfortunate, while keeping the lattice. He does support screening boats and trailers in yards.

Bennett thanked the applicant for working with and providing neighborhood support and understood the need for privacy. She does have an issue for the 7 foot 4 inch fence as it sets a precedent, but would support a 6 foot fence.

Pease stated the applicant has concerns with timing as winter approaches and prefers not to delay the application. If the Commission is comfortable with the 6 foot fence, they could make a motion to deny the request then forward to City Council a statement that if the Council agrees, recommend support for a 6 foot fence.

Spiess asked about language of the motion.

Pease said proceed with the motion and make a statement at the end.

Solberg asked about the sizing of the planters that are mounted on the posts.

Bigelow said it is possible to cut the post to below 12 inches.

Spiess noted the item moves to City Council on September 12, 2016.

ACTIONS OF THE COMMISSION:

M/Solberg, S/Snyder: To close the public hearing. Motion carried 5-0.

M/Bennett, S/Snyder: In Case PL2016-128, being unable to make the required findings, I move to recommend denial of three variances to increase the allowed height of a fence in the side yard adjacent to a street from 4 feet to 7 feet 4 inches and the posts from 12 inches above the fence to 13 inches above for a total height of 8 feet 5 inches and to increase the opacity from 50 percent to 100 percent at 9915 Portland Avenue South and make a recommendation to City Council to allow a six foot fence in a side yard adjacent to street with full opacity. Motion carried 4-1. Solberg opposing.

ITEM 2

6:34 p.m.

APPLICANT: City of Bloomington
REQUEST: Forward 2040 forecasts for population, households and employment

DISCUSSION:

Schmidt gave a brief background on the Forward 2040 forecasts:

- Who uses the forecasts?
 - o City staff, consultants, and Met Council use the forecasts to determine pipe and road sizing, transit ridership, Comprehensive Plan updates, environmental review documents and in the regional roadway model.
- Forecasting models
 - o Met Council prepares their forecasts by using a top-down methodology, utilizing forecasts for the state, metro area and then dividing up the metro allotment to the cities.
 - o Bloomington prepares their forecasts by using a bottom-up methodology, based on parcel by parcel development projections.
- Forecast Tracker
 - o Staff uses a model that plugs in forecasts from developers or through approved plans to track forecasts
- Covered employment
 - o 86,000 employees in 2010
 - o Projecting to rise to 115,000 employees by 2040
 - o 2040 - City projection: 115,110 employees; Met Council projection: 109,700 employees (4.9% higher)
- Housing unit annual growth
 - o 283 units from 2011-2015 (mostly multi-family developments)
 - o Projecting to average 213 units from 2016-2040
 - o 2040 - City projection: 42,435 units; Met Council projection: 41,250 units (2.9% higher)
- Population comparison
 - o 2040 - City projection: 95,258 people; Met Council projection: 93,300 people (2.1% higher)

Solberg asked the difference between population and household.
 Schmidt stated household is based on residents per housing unit. The City used the following assumptions: single family is 2.56 persons per household, duplexes is 1.8 persons per households, townhomes is 2.5 persons per household and multi-family homes is 1.7 persons per household. That is assumed to remain constant through 2040.
- Bloomington development
 - o Industrial land use has the greatest square footage allotment in 2016
 - o Projections show industrial land use will decrease and office will have the greatest square footage allotment by 2040
- Hotels
 - o Today, there is a total of 42 hotels which equates to 9,217 rooms. Hotel rooms are projected to increase to 13,771 by 2040.
 Solberg asked how does that compare to Eagan and Plymouth?
 Schmidt stated there are more hotels in Bloomington than downtown Minneapolis and St. Paul combined.
 - o Projections show that the majority of hotel rooms will be located in the South Loop with an average of 153 rooms per year in the South Loop and 187 rooms City wide.
- District growth rates
 - o Majority of the City's growth will be occurring within the three development districts, with South Loop accommodating most of that growth by 2040
 - o Schmidt displayed three maps depicting where growth is projected to occur within the City.

ITEM 3
6:49 p.m.

APPLICANT: City of Bloomington
REQUEST: Progress update on Forward 2040 comprehensive plan update

DISCUSSION:

Farnham gave a brief update on the comprehensive plan:

- Schedule overview
 - o 2016: public outreach and data gathering
 - o 2017: topic specific issues and draft policies and priorities
 - o 2018: public review and final draft by December 31, 2018
- Progress to date
 - o Town hall meetings, surveys, community events, webpage, advisory committee
- Town hall meetings
 - o Facilitated discussions focusing on three topics: sustainability, diversity and engagement and community amenities
 - o Attendance of 140+ people
 - o Compiled a data book that compares statistics from 1970 to today
- Community events
 - o Farmers market, Summer Fete, Creekside, Music in the Parks, Heritage Days, Assumption Church (will be conducted in Spanish)
- Survey
 - o The survey was open from June 10 – Aug 19
 - o 13 questions
 - o 258 responses
 - o Staff handed out a draft compilation of the survey results.
- Social media input
 - o Questions about what people value about Bloomington were posted on social media for public comment; staff compiled the responses in word clouds
 - o Questions asked included: In 20 years, how do you hope to describe Bloomington? Where do you like to take out-of-town visitors in Bloomington? When you visit other communities, have you found something that made you say, “we need that in Bloomington?” If so, what was it?
- Advisory committee
 - o Comprised of 14 members: 7 general citizenry and 7 board/commission representatives
 - o Term is 12-14 months
 - o 62 applications received for the general citizen members.
- Next steps in 2016
 - o Appoint and convene Advisory Committee
 - o Compile trends and existing conditions information
 - o Engage staff focus groups related to Plan elements
- Steps to complete
 - o 2017 – define vision, identify opportunities, draft policies and priorities, public review
 - o 2018 – refine policy recommendations based on public input, compile draft plan, distribute draft for review, finalize plan and submit to Met Council by December 31, 2018.

Solberg asked about the number of survey respondents and town hall participants. He asked if there is an overarching goal to engage people of diversity. Farnham said yes, that is a goal and noted it has been a challenge. She noted staff has met with leaders of some underrepresented groups and has plans to hold a facilitated discussion in Spanish at Assumption Church and attend educational sessions at Potters Church. ...

Schmidt said staff has reached out to places of assembly to gather input from people of color. Staff has also reached out to Dar Al Faroq to engage their community.

Solberg went through the same process through MNDOT's state plan and suggested engaging underrepresented groups to match population data. Farnham said that hasn't been a goal but can certainly look at the possibility to set a quantifiable goal. Snyder noted the changing demographic by 2040. The pastors may be key figures to bring people forward.

Schmidt said the survey is still live on the website. Staff is distributing surveys to local congregations and will continue to receive information from the community. Farnham added that staff will continue to gather input from social media throughout the plan update process. Solberg asked if social media was used in the last comprehensive plan update. Farnham said there was a webpage created, but social media was not routinely used at that time. With the current update, it is important to use social media and gather input from underrepresented groups in the community particularly because of the changing demographics. Because Bloomington is fully-developed the focus isn't so much on identifying new infrastructure systems and land uses; the implications related to outcomes like sustainability and equity, plus the much broader scope of outreach is the big difference from the last update.

Swanson asked if the survey information is distributed to various City departments so they know what the citizens want. Farnham stated staff is working closely with other departments but agreed that sharing the survey is a great idea.

ITEM 4
7:10 p.m.

APPLICANT: City of Bloomington
REQUEST: Overview of the update to the South Loop District AUAR

DISCUSSION:

Farnham gave an update to the South Loop District AUAR:

- AUAR definition
 - AUAR = Alternative Urban Areawide Review
 - Substitute for individual EAWs or EISs
 - Assesses cumulative environmental impacts of development in a defined area or district
 - The Met Council forecasts are being used as part of the update
- South Loop AUAR
 - Originally adopted in 2002 with updates in 2009 and 2012
 - Focus of interim updates was to incorporate unanticipated infrastructure projects, such as the lowering of Lindau Lane and extension of Lindau east of 24th Avenue.
 - 2016 update entails a more comprehensive update and will incorporate:
 - Updated South Loop District traffic study
 - Updated utility modeling
 - We will also update the 2002 AUAR mitigation plan
- Key changes 2002-2016
 - Redevelopment sites have changed
 - Result is an overall decrease in total square footage of development projected by 2040
 - Less retail and office because the approved 2015 Preliminary Development Plan for Mall of America build out includes a decrease in retail and office
 - However, the shift to more hotel rooms and residential will result in higher demand on water and sanitary systems
 - Implications
 - Higher utility demand
 - More even traffic distribution during peak hours
 - At this point, it appears 2002 remains as worst case scenario as far as development impacts on the natural environment, but we need to verify based on the findings of the updated models
 - Airport noise
 - Reduction and changes in area included in the 60, 65 and 70 DNL contours where use restrictions and mitigation measures may be required.
 - Swanson asked about the airport noise reduction. Farnham noted that much of the reduction is due to quieter airplanes rather than a decrease in flights.
 - Swanson asked if airport noise will impact residential in the South Loop. Farnham stated the most affected area is between 24th and

30th Avenue. Residential uses are only allowed to the east (e.g., BCS) and west.

- Traffic noise may decline from 2002 levels due to less peak traffic.
- Official review process
 - Staff completes AUAR and mitigation plan in November
 - City Council releases AUAR for distribution in December
 - Notice published in the EQB monitor in early January
 - Review period: January-March
 - Revise and adoption by City Council by the end of April 2017 as the AUAR expires in May.
 - Planning Commission does not formally review the AUAR, rather, this is intended as an update to make sure you're aware of this process.

ITEM 5

7:24 p.m.

APPLICANT: City of Bloomington

REQUEST: Draft Planning Commission meeting synopses of August 4, 2016 and August 11, 2016

ACTIONS OF THE COMMISSION:

M/Solberg, S/Bennett: I move to approve the draft Planning Commission meeting synopsis of August 4, 2016 as presented.
Motion carried 5-0.

M/Solberg, S/Bennett: I move to approve the draft Planning Commission meeting synopsis of August 11, 2016 as presented.
Motion carried 5-0.

The meeting adjourned at 7:25 p.m.

Prepared By: EO **Reviewed By:** LP, JF, JS

Approved By Planning Commission: _____